

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Application Serial No. ....09/411,171  
Filing Date ..... October 1, 1999  
Inventorship ..... Mazhar, et al.  
Applicant .....Microsoft Corporation  
Group Art Unit.....2173  
Examiner ..... Cao Nguyen  
Attorney's Docket No. .... MS1-1583US  
Title: "Windows Radio Toolbar"

**PETITION TO REVIVE APPLICATION FROM UNINTENTIONAL  
ABANDONMENT UNDER 37 CFR § 1.137(B)**

To: Mail Stop Petition  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

From: Kasey Christie  
Lee & Hayes, PLLC  
421 W. Riverside Ave., Suite 500  
Spokane, WA 99201

Customer No.: 22801

**PETITION**

The Applicant submits this petition to revive the subject application from unintentional abandonment under 37 C.F.R. § 1.137(b). For convenience, the Applicant reproduces § 1.137(b) here:

"(b) Unintentional. If the delay in reply by applicant or patent owner was unintentional, a petition may be filed pursuant to this paragraph to revive an abandoned application, a reexamination proceeding terminated under §§ 1.550(d) or 1.957(b) or (c), or a lapsed patent. A grantable petition pursuant to this paragraph must be accompanied by:

- (1) The reply required to the outstanding Office action or notice, unless previously filed;
- (2) The petition fee as set forth in § 1.17(m);
- (3) A statement that the entire delay in filing the required reply from the due date for the reply until the filing of a grantable petition pursuant to this paragraph was unintentional. The Director may require additional information where there is a question whether the delay was unintentional; and
- (4) Any terminal disclaimer (and fee as set forth in § 1.20(d)) required pursuant to paragraph (d) of this section."

The Applicant includes herewith a reply in the form of a request for continued examination and a response to the Final Action mailed by the Office on 25 November, 2005.

The Applicant includes the petition fee set forth in § 1.17(m).

The Applicant previously filed a Notice of Appeal on 16 February 2006. The initial no-fee two-month period expired on 16 April 2006. The period for response was extendable for up to an additional five months, and this period expired on 16 October 2006. The entire delay from 16 October 2006 until the filing of this petition to revive was unintentional.

No terminal disclaimer is believed required with this petition.

1 The Applicant requests favorable action on this petition at the  
2 earliest convenience of the Office.

3  
4  
5 Dated: 7-24-07

Respectfully Submitted,

By: Kasey C. Christie

Kasey C. Christie  
Reg. No. 40559

Lee & Hayes PLLC  
(509) 324 9256 x 232